



09/22/03

REQUEST FORM FOR APPLICATION UNDER 37 CFR 1.53(b)

DOCKET NUMBER: 2038-221A
 Prior Application: 09/220,889
 Art Unit: 3761
 Examiner: REICHLE, KARIN M.

31088 U.S. PTO
 10/664906
 09/22/03

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

This is a Request for filing a Divisional application under 37 CFR 1.53(b) of pending prior *U.S. Patent Application No. 09/220,889, filed on December 28, 1998, entitled DISPOSABLE DIAPER*, by the following named inventors: Hironao MINATO and Yasushi SAYAMA.

1. ☒ I hereby state that the enclosed copy of this prior application is a true copy of the above-identified prior application.
2. Oath or Declaration
 - a. ☐ Newly executed (original or copy)
 - b. ☒ Copy from a prior application (37 CFR 1.63(d))
 - i. ☐ Deletion of inventor(s)
 Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
3. ☒ Incorporation By Reference (useable if Box 2b is checked)
 The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 2b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference
4. ☒ Preliminary Amendment is enclosed.
5. ☒ An Information Disclosure Statement and PTO1449 Form are submitted herewith.
6. ☒ Cancel claims 1-4.

7a. The filing fee is calculated on the basis of the claims existing in the prior application as amended at 4 and 6 above:

	NO. OF CLAIMS		EXTRA CLAIMS	RATE	FEE
Total Claims	6	MINUS 20	0	x \$18 =	\$0
Independent Claims	2	MINUS 3	0	x \$84 =	\$0
Basic Application Fee					\$750.00
If multiple dependent claims are presented, add \$280.00					n/a
Total Application Fee					\$750.00
Subtract 1/2 if small entity					n/a
TOTAL APPLICATION FEE DUE					\$750.00
<input checked="" type="checkbox"/> CREDIT CARD AUTH. FORM <input type="checkbox"/> CHECK <input type="checkbox"/> CHARGED TO DEPOSIT ACCOUNT NO. 07-1337					

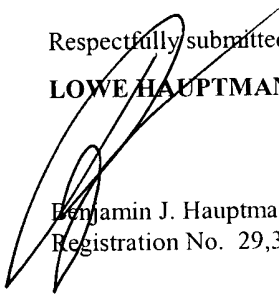
- 7b. ☐ Applicant is entitled to small entity status under 37 CFR 1.9 and 37 CFR 1.27.
8. ☒ The Commissioner is hereby authorized to charge fees under 37 CFR 1.16 and 1.17 which may be required, including any extension of time fees to maintain the pendency of the parent application Serial No. 09/220,889 or credit any overpayment to Deposit Account No. 07-1337.
9. ☐ Amend the specification by inserting before the first line the sentence: -----.
10. ☒ Priority of Japanese Application No. 9-359098 filed on December 26, 1997 is claimed under 35 USC 119. The certified priority document(s) were filed in Serial No. 09/220,889 on December 28, 1998, and has been acknowledged by the USPTO.
11. ☒ The prior application is assigned of record to: *Uni-Charm Corporation - Reel: 011884, Frame: 0494*.
12. ☒ The power of attorney in the prior application is to: **LOWE HAUPTMAN GILMAN & BERNER, LLP**
13. ☒ Also enclosed: *2 Sheets of Replacement Drawings and Substitute Specification*
14. ☐ A petition, fee and response has been filed to extend the term in the pending prior application until: -----.
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Address all future communications to:

LOWE HAUPTMAN GILMAN & BERNER, LLP
1700 Diagonal Road, Suite 300
Alexandria, Virginia 22314

Respectfully submitted,

LOWE HAUPTMAN GILMAN & BERNER, LLP


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Date: September 22, 2003